

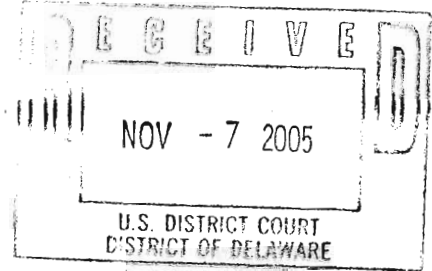
IN UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

JAMES A. WILSON, et al.,
Plaintiffs,

v.

Civil Action No. 05-399-JJF

STANLEY TAYLOR, individually
and in his official capacity
as Commissioner D.O.C., and
RICK KEARNEY, individually
and in his official capacity
as Warden, S.C.I.,



MEMORANDUM ORDER

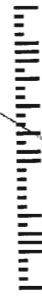
Pending before the Court is a Motion For Temporary Restraining Order against Officer John Stolzenback of the Department of Correction filed by Plaintiff, James A. Wilson.¹ Plaintiff Wilson alleges that he felt threatened by Officer Stolzenback who was shaking a can of mace, told Plaintiff Wilson to "shut up," and questioned Plaintiff Wilson. Plaintiff Wilson further states that he believes Officer Stolzenback "is after him in any form or fashion."

In determining whether to grant a restraining order, the Court must consider: (1) the likelihood of success on the merits, (2) the extent to which the Plaintiff is being irreparably harmed by the conduct complained of; (3) the balance of the hardships to the respective parties, and (4) the public

¹ The Court notes that this Motion appears to be filed solely by Plaintiff Wilson and not by the other plaintiffs to this action.

Office of the Clerk
United States District Court
844 N. King Street, Lockbox 18
Wilmington, Delaware 19801-3570
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X-RAY



Tim Soodain
Tim Soodain, Pro se
2602 North Washington St.
Wilmington, DE 19801

☐ A ☐ INSUFFICIENT ADDRESS
☐ C ☐ ATTEMPTED NOT KNOWN
☐ S ☐ NO SUCH NUMBER/STREET
☐ UNDELIVERABLE AS ADDRESSED
☐ OTHER

RTS
RETURN TO SENDER

10/22/05
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at third return to
sender*

